

**LOCAL GOVERNMENT ORDINANCE 1961
(No. 11 of 1961)**

**BEAUFORT DISTRICT COUNCIL
(HAWKERS) BY-LAWS 1964
(G.N.L 14 of 1965)**

In exercise of the powers conferred upon it by section 50 of the Local Government Ordinance 1961, the Beaufort District Council has made the following by-laws:

Title and commencement.

1. These by-laws may be cited as the Beaufort District Council (Hawkers) By-laws 1964 and shall come into operation on the 1st day of January 1965.

Interpretation.

2. In these By-laws —

"goods" includes food and drink;

"hawk" includes peddle.

Licence for hawking.

3. No person shall hawk any goods except in accordance with a licence granted by the Council.

Application for licence.

4. Application for a licence shall be in writing and shall specify the goods the applicant proposes to hawk and shall be accompanied by two photographs of the applicant.

Grant of licence.

5. The Council may, in its absolute discretion, grant or refuse a licence or grant a licence subject to such condition as it thinks fit.

Health certificate.

6. If the Council so requires, the applicant for a licence or for a renewal thereof shall forward a certificate of health from the Health Officer.

Fee.

7. The fee for a licence to hawk in the following manner shall be —

(a) Inside the township areas of Beaufort, Membakut, Weston, Gadong and Padas Damit —

(i)	Vegetables	...	...	...	...	RM .50 per day
(ii)	Clothes and clothing materials	...	...	...	...	RM2.00 per day
(iii)	Fish	...	...	...	...	RM2.00 per day
(iv)	Medicine (including medicated oil)	...	...	...	...	RM3.00 per day
(v)	Traders from outside Beaufort District	...	...	...	...	RM5.00 per day
(vi)	Mobile traders from outside Beaufort District	...	...	...	...	RM25.00 per day
(vii)	Monthly licence fee for a stall to hawk cloth and clothing materials	...	...	...	...	RM30.00 per day

Monthly licence fee payable in advance.

8. (1) The monthly fee for a licence under by-law 7 (a) (vii) shall be payable in advance:

Provided that if any licence is surrendered before the expiry of the month, no refund shall be made.

(2) If the fee is not paid on the expiry of the first week of the month in which it is due, the licence shall lapse but may be validated by the Council upon a validation fee of three ringgit being paid provided that if the fee is not paid by the end of the month in which it is due the licence shall be cancelled.

Free licences.

9. Free licences may be issued at the discretion of the Council to applicants wishing to hawk goods produced by their own labour.

Display of licence.

10. A licence shall be displayed in close proximity to the goods being hawked.

Licence not to be transferred.

11. No licensee shall transfer or otherwise part with the possession of his licence to any unauthorised person.

Employment of assistants.

12. (1) No assistant whether paid or not shall be employed in the business of a licensee except with the approval of the Council.

(2) If the Council gives approval, the name, address and a photograph of the assistant may require to be affixed to the licence by an officer of the Council.

Hawker not to remain stationary.

13. Unless permitted in writing by the Council no person shall, while engaged in the business of hawking, remain stationary except for the purpose of serving a customer or for a reasonable time to rest.

No hawking in certain places.

14. No person shall hawk within thirty feet of a street corner.

No hawking during certain hours.

15. No person shall hawk between 12 o'clock midnight and 6 a.m.

Refuse.

16. No person engaged in the business of hawking shall deposit any refuse or litter in any public place except in receptacles provided for the purpose.

Penalty.

17. Any person who contravenes any of the provisions of these By-laws shall be guilty of an offence and shall be liable to a fine of five hundred ringgit.

Cancellation.

18. The Council may cancel or suspend a licence —

(a) if the licensee or any assistant of the licensee —

(i) is convicted of any offence under these By-laws;

(ii) is convicted of any offence under any written law relating to public health or the use of false weights or measures in respect of goods to which the licence relates; or

- (b) if, on the certificate of the Health Officer, the licensee is suffering from a contagious or infectious disease.

Dated at Beaufort this 15th day of December 1964.

MOHD. DUN BIN BANIR,
Chairman,
Beaufort District Council.

I approve the foregoing By-laws.

Dated at Jesselton this 26th day of January 1965.

PANG TET TSHUNG,
Minister for Local Government.